

# The Gazette of India



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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 19th February, 1960 :—

Issue No.	No. and date	Issued by	Subject
21	S.O. 400, dated 13th February, 1960.	Ministry of Labour and Employment.	Adjustment of Dearness Allowance regarding Bank Award Commission.
22	S. O. 401, dated 15th February, 1960.	Ministry of Law	Declaration containing name of the candidate elected by the Baramati Parliamentary Constituency to fill a vacancy in the House of the People.
23	S. O. 402, dated 15th February, 1960.	Ministry of Information and Broadcasting.	Approval of films specified therein.
24	S. O. 451, dated 19th February, 1960.	Ministry of Scientific Research and Cultural Affairs.	Amendment in the International Copyright Order, 1958.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

### CABINET SECRETARIAT

[Establishment (B) Section]

New Delhi, the 18th February 1960

S.O. 462.—The Central Government hereby directs, in exercise of the powers conferred by section 3 of the Collection of Statistics Act, 1953 (32 of 1953), that statistics shall be collected relating to all matters relating to:—

- (i) commercial concerns as defined in clause (b)(ix) of section 2 of the said Act,

- (ii) industrial concerns, and
- (iii) factories,

and further appoints, in exercise of the powers conferred by section 4 of the said Act, the Chief Director, National Sample Survey, to be the Statistics Authority for the purpose of collecting statistics relating to the matters above referred to.

[No. 31/14/57-Estt.Pt.II.]

M. V. NILAKANTA AYYAR, Under Secy.

## MINISTRY OF HOME AFFAIRS

### CORRIGENDUM

*New Delhi, the 17th February 1960*

S.O. 463.—In the notification issued by the Government of India, Ministry of Home Affairs, No. F. 3/36/59-Poll.III, dated the 15th December, 1959, please read "Raolji Shri" for "Thakor Shri" used therein.

[No. F. 3/36/59-Poll.III.]

S. NARAYANSWAMY, Dy. Secy.

## MINISTRY OF FINANCE

### (Department of Expenditure)

*New Delhi, the 18th February 1960*

S.O. 464.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958, namely:—

#### *Amendment No. 34*

In Schedule I to the Rules on page 9, entry No. 20 (Board of Management of the Overseas Communications Service) under Section 'R—Ministry of Transport & Communication (Department of Communications and Civil Aviation)' may be deleted.

(This amendment takes effect from the 20th December, 1958.)

[No. 12(12)-E.II(A)/60.]

K. P. SIRCAR, Dy. Secy.

### (Department of Expenditure)

*New Delhi, the 20th February 1960*

S.O. 465.—In exercise of the powers conferred by proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following further amendment in the Contributory Provident Fund Rules (India), namely:

In paragraph 2 of the Fifth Schedule to the said Rules, for the entry "The Deputy Controller, Stationery" the entry "The Controller of Stationery" shall be substituted.

[No. F. 22(27)-EV/54-CPF.]

S.O. 466.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, hereby makes the following

further amendment in the General Provident Fund (Central Services) Rules, namely:

In paragraph 2 of the Fifth Schedule to the said Rules for the entry "The Deputy Controller, Stationery" the entry "The Controller of Stationery" shall be substituted.

[No. F. 22(27)-EV/54-GPF.]

D. D. BHATIA, Dy. Secy.

## (Department of Economic Affairs)

New Delhi, the 18th February 1960

S.O. 467.—Statement of the Affairs of the Reserve Bank of India, as on the 12th February, 1960.

## BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up . . . . .	5,00,00,000	Notes . . . . .	12,44,33,000
Reserve Fund . . . . .	80,00,00,000	Rupee Coin . . . . .	2,54,000
National Agricultural Credit (Long-term Operations) Fund . . . . .	30,00,00,000	Subsidiary Coin . . . . .	5,08,000
National Agricultural Credit (Stabilisation) Fund . . . . .	4,00,00,000	Bills Purchased and Discounted :—	
Deposits:—		(a) Internal . . . . .	..
(a) Government		(b) External . . . . .	..
(1) Central Government . . . . .	66,96,33,000	(c) Government Treasury Bills . . . . .	37,18,16,000
(2) Other Governments . . . . .	20,84,57,000	Balances held abroad* . . . . .	44,34,16,000
(b) Banks . . . . .	81,19,51,000	**	
(c) Others . . . . .	108,51,36,000	Loans and Advances to Governments . . . . .	23,49,53,000
Bills Payable . . . . .	19,16,70,000	Other Loans and Advances† . . . . .	130,24,70,000
Other Liabilities . . . . .	38,55,95,000	Investments . . . . .	192,99,15,000
		Other Assets . . . . .	13,46,77,000
TOTAL .	454,24,42,000	TOTAL .	454,24,42,000

\*Includes Cash &amp; Short term Securities.

\*\*Includes Temporary Overdrafts to State Governments.

†The Item 'Other Loans and Advances' includes Rs. 4,84,20,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 17th day of February, 1960.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 12th day of February 1960.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department . . .	12,44,33,000		A. Gold Coin and Bullion :		
Notes in circulation . . .	1811,93,54,000		(a) Held in India . . .	117,76,03,000	
Total Notes issued . . .		1824,37,87,000	(b) Held outside India . . .	..	
			Foreign Securities . . .	163,00,89,000	
			TOTAL OF A . . .		280,76,92,000
			B. Rupee Coin . . .		126,29,35,000
			Government of India Rupee Securities . . .		1417,31,60,000
			Internal Bills of Exchange and other commercial paper . . .		..
TOTAL LIABILITIES		1824,37,87,000	TOTAL ASSETS . . .		1824,37,87,000

Dated the 17th day of February, 1960.

H. V. R. IENGAR,  
Governor.

[No. F. 3(2)-BC/60.]

A. BAKSI, Jt. Secy.

## (Department of Revenue)

## INCOME-TAX

*New Delhi, the 20th February 1960*

**S.O. 468.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government is pleased to appoint Shri R. N. Muttoo as Commissioner of Income-tax

This notification shall take effect from the 6th February 1960 (forenoon).

[No. 15 (F. No. 55/1/60-IT.)]

D. V. JUNNARKAR, Under Secy.

## CENTRAL BOARD OF REVENUE

## INCOME-TAX

*New Delhi, the 20th February 1960*

**S.O. 469.**—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in its notification S.O. 660 No. 35-Income-tax dated the 22nd April 1958, namely:—

In the Schedule annexed to the said notification under the sub-head "VIII-Delhi & Rajasthan" for the existing entry "1. Income-tax *cum* Wealth-tax Circle IV, New Delhi" against "C" New Delhi, the following entry shall be substituted, namely:—

"1. Income-tax *cum* Wealth-tax Circles IV and IV(1), New Delhi".

This notification shall be deemed to have taken effect from the 1st February 1960.

*Explanatory Note*

Note: The amendment has become necessary on account of the creation of a new Circle.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 13 (F. No. 50/10/60-IT.)]

**S.O. 470.**—In exercise of the powers conferred by sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the Schedule annexed to its notification S.R.O. 1214—No. 44-Income-tax dated the 1st July, 1952:—

In the said Schedule, after S. No. 21-I, the following entry shall be inserted, namely:—

1	2	3	4	5	6
21-J	Employees of Gammon India Private Ltd., Bombay, stationed anywhere in the taxable territories.	I.T.O., Salary Branch II, Bombay.	I.A.C., 'C' Range, Bombay.	A.C.C., 'D' Range, Bombay.	Commissioner of Income-tax, Bombay City I.

[No. 14 (F. No. 55/143/59-IT.)]

**S.O. 471.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 6th February 1960 (forenoon) Shri R. N. Muttoo who has been appointed by the Central Government to be a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the States of Bihar & Orissa.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri Muttoo shall be designated as the Commissioner of Income-tax, Bihar & Orissa, with headquarters at Patna.

#### *Explanatory Note*

Note: The amendments have become necessary on account of the change in the incumbent of the Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 16 (F. No. 55/1/60-IT.)]

**S.O. 472.**—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments to its notification S.O. 660, No. 35-Income-tax, dated the 22nd April, 1958, namely:—

In the schedule annexed to the said notification under the sub-head "IV—Bombay City" for the existing entries in Cols. 1 and 2 the following entries shall be substituted, namely:—

#### **"A" Range, Bombay**

1. A-I Ward.
2. Special Survey Circle VL
3. A-IV Ward.

#### **"B" Range, Bombay**

1. Companies Circle II (All Sections).
2. C-II Ward.

#### **"C" Range, Bombay**

1. Companies Circle IV (All Sections).
2. Bombay Circles I to XII.
3. Non-Residents' Refund Circle.
4. Foreign Section.
5. Evacuee Circle I.
6. Special Investigation Branch.

#### **"D" Range, Bombay**

1. Market Ward.
2. Special Survey Circle I.
3. Bombay Refund Circle.
4. A-V Ward
5. Salaries Branch I
6. Salaries Branch II.

#### **"E" Range, Bombay**

1. G-Ward, Bombay.

#### **"F" Range, Bombay**

1. C-III Ward.
2. E-Ward
3. Special Survey Circle III.

"G" Range, Bombay	1. C-IV Ward.
"H" Range, Bombay	1. B-III Ward.
"K" Range, Bombay	1. D-I Ward 2. Evacuee Circle II. 3. D-II Ward.
"L" Range, Bombay	1. Companies Circle III (All Sections).
"M" Range, Bombay	1. C-I Ward.
"N" Range, Bombay	1. Bombay Suburban District. 2. Special Survey Circle IV. 3. Special Survey Circle V.
"P" Range, Bombay	1. A-III Ward. 2. Companies Circle I (All Sections)
"Q" Range, Bombay	1. B-II Ward. 2. Special Survey Circle II.
"R" Range, Bombay	1. A-II Ward. 2. B-I Ward.

This notification shall take effect from the 1st March, 1960.

*Explanatory Note*

NOTE.—The amendments have become necessary on account of the re-organisation of the appellate ranges in the charges of the Commissioners of Income-tax, Bombay City I and II.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 17 (F. No. 50/5/60-IT).]

**S.O. 473.**—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject the Central Board of Revenue hereby directs that with effect from 10th February 1960 (afternoon) Shri H. P. Sharma a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of West Bengal as specified below:—

1. Companies District I, Calcutta.
2. Companies District III, Calcutta.
3. Midnapur.
4. Asansol.
5. Refund Circle, Calcutta.
6. Howrah.
7. 24-Parganas.
8. Burdwan-Birbhum.
9. Jalpaiguri-Darjeeling.
10. Special Survey Circle VIII, Calcutta.
11. District VI, Calcutta.
12. District III (I), Calcutta.



13. Murshidabad-Nadia.
14. Hoogly.
15. Siliguri.
16. Cinema Circle, West Bengal.
17. District III-A, Calcutta.
18. Central Salary Circle, Calcutta.
19. Special Survey Circle VII, Calcutta.
20. Non-Companies (Income-tax cum Excess Profits Tax) District I, Calcutta.
21. District II (2), Calcutta.
22. Foreign Section, Calcutta.
23. Cooch-Behar.
24. West Dinajpur-Malda.
25. Estate Duty cum Income-tax Circle, Calcutta.
26. Estate Duty cum Income-tax Circle (Mofussil), Calcutta.
27. Estate Duty cum Income-tax Circle, Jalpaiguri.
28. Purulia-Bankura.
29. District III (3), Calcutta.
30. Project Circle, West Bengal.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him:

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any income-tax authority outside his jurisdictional area.

While performing the said functions the said Shri Sharma shall be designated as the Commissioner of Income-tax, West Bengal with headquarters at Calcutta.

#### *Explanatory Note*

NOTE.—The amendments have become necessary due to a change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory.)

[No. 18 (F. No. 55/1/60-IT.)]

D. V. JUNNARKAR, Under Secy.

#### **ESTATE DUTY**

*New Delhi, the 23rd February 1960*

S.O. 474.—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Board of Revenue hereby makes the following further amendment in its notification No. 35/F. No. 21/81/57-ED, dated the 31st December, 1957, namely:—

In the said notification, for the word "Tanjore" the word "Thanjavur" shall be substituted.

#### *Explanatory Note*

(This note is not part of the amendment but is intended to be merely clarificatory).

The amendment has become necessary on account of the change in the name of the Revenue village, taluk and district 'Tanjore' to 'Thanjavur.'

[No. 6/F. No. 21/7/60-ED.]

D. SUBRAMANIAN, Secy.

**OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE AND  
LAND CUSTOMS, GOA FRONTIER DIVISION, BELGAUM**

**NOTICE**

*Belgaum, the 11th February 1960*

**S.O. 475.**—Whereas it appears that the marginally noted goods which were seized by the Sub-Inspector of Central Excise, Flying Squad, Hubli at the Alnavar

S. No.	Description	Quantity
1.	"555" Rust proof Press-studs, Made in Germany 2542, Cards each of 3 Dozens.	2542 Crd. each of 3 Dozs.
2.	Old trunk. (Container).	1 No.

Railway Platform on 29th April 1959 while being carried by a Hamal, Shri Rama Vasant Naik of Alnavar, who had disowned the Trunk and the goods stating that some passenger had asked him to carry the trunk, the contents of which he was not knowing were imported by land from Goa (Portuguese possession in India) in contravention of the Section 5(1) of the Land Customs Act, 1924 and the Government of India, Ministry of Commerce and Industry, Import Control Order No. 17/55, dated 7th December 1955 issued under Section 3 of the Imports and Exports Control Act, 1947

and further deemed to have been issued under Section 19 of the Sea Customs Act, 1878 (in respect of item No. 1 noted in the margin).

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878 and the Trunk in which the goods were found under Section 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Section 167(8) of the Sea Customs Act, 1878.

3. If such a owner fails to turn up to claim the above mentioned unclaimed goods or to show cause against the action proposed to be taken within 10 days from the publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-281/59.]

**E. R. SRIKANTIA, Asstt. Collector.**

**MINISTRY OF COMMERCE AND INDUSTRY**

*Bombay, the 9th February 1960*

**S.O. 476.**—In exercise of the powers conferred on me by sub-clause (1) of Clause 3 of the Cotton Control Order, 1955 and of all other powers enabling me in this behalf, I hereby direct that the following amendments shall be made in the Textile Commissioner's Notification No. S.O. 122, dated 31st December, 1959, published in the Gazette of India, Part II, Section 3, sub-section (ii), dated 16th January, 1960:—

In Annexures "B", "C" and "D", the following paragraph shall be added, viz:—

"Any other cotton grown in the areas in which the above varieties are grown and which are not included in any other Annexure appended to this notification."

(Sd.) **D. S. JOSHI,**  
Textile Commissioner.

[No. 24(14)-TEX(A)/59.]

*Bombay, the 10th February 1960*

S.O. 477.—In exercise of the powers conferred on me by clauses 3 and 4 of the Cotton Control Order, 1955 and all other powers enabling me in this behalf, I hereby direct that the following further amendment shall be made in the Textile Commissioner's Notification No. S.O. 122, dated the 31st December, 1959, published in the Gazette of India, Part II, Section 3, sub-section (ii), dated 16th January, 1960 namely:—

In the said notification, in para 2 after (e) the following shall be added:—

- "(f) Where Indian cotton of the varieties specified in Annexure 'F' to this notification is sold at a price exceeding Rs. 995 per candy;
- (g) Where Indian cotton of the varieties specified in Annexure 'G' to this notification is sold at a price exceeding Rs. 1,040 per candy;
- (h) Where Indian cotton of the varieties specified in Annexure 'H' to this notification is sold at a price exceeding Rs. 890 per candy;
- (i) Where Indian cotton of the varieties specified in Annexure 'I' to this notification is sold at a price exceeding Rs. 1,045 per candy;
- (j) Where Indian cotton of the varieties specified in Annexure 'J' to this notification is sold at a price exceeding Rs. 890 per candy;
- (k) Where Indian cotton of the varieties specified in Annexure 'K' to this notification is sold at a price exceeding Rs. 995 per candy;
- (l) Where Indian cotton of the varieties specified in Annexure 'L' to this notification is sold at a price exceeding Rs. 1,085 per candy."

2. After Annexure 'E' the following shall be added:—

**ANNEXURE 'F'**

'Vijay' means cotton recognised as such and grown in the Kaira, Baroda, Broach (Broach, Jambusar, Vagri and Amod Taluka), Sabarkantha, Ahmedabad (Daskroi, Dehgam, and City talukas) and Panchmahal districts of Bombay State, Banswara district of Rajasthan and Ratlam district of Madhya Pradesh and includes 'Dig Vijay' 'BD 8', 'B 9 and Dehgam 1027'.

**ANNEXURE 'G'**

'Surti' means cotton recognised as such and grown in the Surat, Broach, (Ankleshwar, Hansot, Nanded, Jhagadia, Valia, Dediapada and Sagbara talukas) and West Khandesh (Nawapur and Akkalkuwa talukas) districts of Bombay State and includes 'Suyog', 'Vijalpa (2087)', 'Rajpipla' and 'Nawapur 1027'.

**ANNEXURE 'H'**

'Westerns' means cotton recognised as such and grown in the Bellary district of Mysore State and Kurnool (Adoni, Alur and Pattikonda talukas), Anantapur and Cuddapah district of Andhra Pradesh and includes 'Hagari 1 (Western Farm)', 'Nandyal 14', 'White Northerns', 'Red Northerns', '881-F' and 'Umri'.

**ANNEXURE 'I'**

'Cambodia' means cotton recognised as such and grown in the States of Madras, Andhra Pradesh (Cuddapah, Anantapur, Guntur and Chittoor districts) and Kerala (Palghat district) and includes 'Avanashi', '137' cotton grown in the Vidarbha Region of the Bombay State and 'Cambodia Co. 2'. It also includes MCU 1 and 2, Indo-American 170-Co. 2 and 134-Co. 2-M which do not conform to the definition in sub-para (1) of paragraph 3 of the Textile Commissioner's Notification No. S.O. 2045, dated 8th September, 1959.

**ANNEXURE 'J'**

'Kalyan' means cotton recognised as such and grown—

- (i) in the Ahmedabad (Dholka, Dhanduka, Sanad and Viramgam talukas) and Mehasana districts of the Bombay State, provided that the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923).
- (ii) in the Rajkot division of the Bombay State, provided that the seed required for sowing has been duly approved and supplied by the

State Department of Agriculture and the produce has been certified by that Department as being 'Kalyan'.

#### ANNEXURE 'K'

'Jayadhar' means cotton recognised as such and grown in the Dharwar, Belgaum, Bijapur and Chitaldrug districts of Mysore State and North and South Satara and Kolhapur districts of Bombay State, provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding act.

#### ANNEXURE 'L'

'Laxmi' means cotton recognised as such and grown in the Dharwar, Belgaum, Bijapur, Raichur, Bellary and Chitaldrug districts of Mysore State and Kurnool, Anantapur and Cuddapah districts of Andhra Pradesh provided the areas in which the cotton is grown are protected under the Cotton Transport Act, 1923 (3 of 1923) or any corresponding Act. It also includes M.A. 5 which does not conform to the definition in sub-para (1) of paragraph 3 of the Textile Commissioner's notification No. S.O. 2045, dated 8th September, 1959.

(Sd.) D. S. JOSHI,  
Textile Commissioner.

[No. 24(14)-TEX(A)/59.]

HARGUNDAS, Under Secy.

*New Delhi, the 18th February 1960*

**S.O. 478.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby appoints the 1st day of March, 1960 as the date on which the provisions of the said Act shall come into force in respect of crude petroleum and petroleum products, produced, manufactured, distributed, bought or sold, whether by a producer, manufacturer or distributor of crude petroleum or petroleum products or by an agent, dealer or retailer engaged in buying and selling crude petroleum or petroleum products.

[No. SMC-15(25)/59/1.]

**S.O. 379.**—In exercise of the powers conferred by sub-section (1) of section 14 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby permits the continuance of the use in respect of crude petroleum and petroleum products referred to in the Notification of the Government of India in the Ministry of Commerce and Industry No. 478 dated the 18th day of February, 1960, for a period of one year from the 1st day of March, 1960, of any weight or measure which, immediately before that date, was in use in respect of crude petroleum and petroleum products aforesaid.

[No. SMC-15(25)/59/2.]

K. V. VENKATACHALAM, Jt. Secy.

*New Delhi, the 20th February 1960*

**S.O. 480.**—In exercise of the powers conferred by section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), the Central Government hereby re-appoints Shri W. R. Natu, as a member of the Forward Markets Commission for the period commencing on the 21st February, 1960 and ending with the 31st March, 1960, and nominates him to be the Chairman of the Commission.

[No. 27(1)-TMP/60.]

T. S. KUNCHITHAPATHAM, Under Secy.

# ORDERS

New Delhi, the 17th February 1960

**S.O. 481/IDRA/6/11.**—in exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri Padampat Singhania, Shri D. P. Mandelia, Shri R. Venkataswamy and Shri G. M. Modi as members of the Development Council established by the Order of the Government of India in the Ministry of Commerce & Industry S.O. 2506, dated the 3rd November, 1959, for the scheduled industries engaged in the manufacture or production of textiles made of artificial silk, including artificial silk yarn, and directs that the following amendments shall be made in the said Order, namely:—

(a) In paragraph 1 of the said Order, after entry No. 6 relating to Shri Jayantilal G. Vakharia, the following entries shall be inserted:—

	"owners"	"Member"
6A. Shri Padampat Singhania, J. K. Organisation, Kamla Tower, Kanpur.		
6B. Shri D. P. Mandelia, The Gwalior Silk Mfg. (Wvg.) Co. Ltd., Birla Nagar, Gwalior.	-do-	-do-
6C. Shri R. Venkataswamy. Peelamedu, Coimbatore.	-do-	-do-
6D. Shri G. M. Modi, Chairman, Modi Industries, Modinagar (Meerut), U.P."	-do-	-do-

[No. 4(49)IA(II)(G)/59.]

New Delhi, the 18th February 1960

**S.O. 482/IDRA/6 12.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture and production of textiles made of wool, including woollen yarn, hosiery, carpets and druggets in place of members whose term of office has expired by efflux of time or otherwise :—

Serial No.	Name and address of member	Interest represented	Chairman/ Member
1	V. Calloway, Esq., Woollen Superintendent, British India Corporation Ltd., Post Box No. 5, Kanpur.	"technical knowledge"	Chairman
2.	Shri Jagdish Behl, The Pearl Woollen Mills (I) Worsted Spinners, G.T. Road, Ludhiana.	"owners"	Member
3.	Shri H. K. Wattal, The Kailas Carpet Co., Dholpur House, Agra (U.P.)	"Do."	Do.
4.	Shri Kidar Nath Grover, Model Woollen & Silk Mills, Verka (Amritsar)	"Do."	Do.
5.	Shri T. N. Khaitan, C/o Dhruva Woollen Mills Private Ltd., Sun Mill Road, Bombay-13.	"Do."	Do.

(1)	(2)	(3)	(4)
6.	Shri J. R. Nayar . C/o The Indian Woollen Textile Mills (Private) Ltd., <i>Chhacharta</i> (N.R.) India.	"technical knowledge"	Member
7.	Shri N. L. Narayan, . Deputy Director, Sheep & Wool, Office of the Deputy Director, Sheep & Wool, Rajasthan, <i>Jaipur</i> .	"Do."	Do.
8.	Shri Shyam Dhar Misra, M.P. Parliamentary Secretary to the Union Minister for Community Development & Co-operation, Krishi Bhavan, <i>New Delhi</i> .	"Do."	Do.
9.	Shri M. A. Samad, M.L.A. . Samad Building, Bhadohi, <i>Varanasi</i> , U.P.	"Do."	Do.
10.	Shri Mallappa Kellur, M.L.A. . "Chamell Kunj", No. 3, Seshadri Road, <i>Bangalore-9</i> .	"Do."	Do.
11.	Shri I. B. Dutt . Director, (Production & Development), Office of the Textile Commissioner, Wittet Road, Ballard Estate, <i>Bombay</i> .	"Do."	Do.
12.	Shri R. K. Birla, C/o Shri Digvijaya Woollen Mills Ltd., <i>Jamnagar</i> .	"Do."	Do.
13.	Shri N. P. Chatterjee, I.A.S., . Agricultural Marketing Adviser, Directorate of Marketing & Inspection, <i>Nagpur</i> .	"Do."	Do.
14.	Shri G. K. Jaywant, . Secretary, Rashtriya Mill Mazdoor Sangh, "Mazdoor Manzal" 25, Government Gate Road, Parcel, <i>Bombay</i> .	"persons employ- ed in indus- trial under- takings"	Do.
15.	Shri Bhagwat Dayal Sharma, . President, INTUC Punjab Branch, C/o Shri Shiv Kumar Vaidya, Mohalla Garhi, <i>Hansi</i> (Hissar).	"Do."	Do.
16.	E. B. Whitley, Esq., . International Wool Secretariat, Hamilton House, A Block, Connaught Place, <i>New Delhi</i> .	"consumers"	Do.

[No. 4(31)IA(II)(G)/59.]

## CORRIGENDUM

New Delhi, the 15th February 1960

S.O. 483.—In the Ministry of Commerce & Industry Order S.R.O. 2002, dated the 24th September 1958, published in the Gazette of India, Part II—Section 3, sub-section (ii), dated the 4th October, 1958, entry No. 14 relating to Dr. A. Nagaraja Rao shall be deleted.

[No. 4(43)IA(II)(G)/59.]

K. C. MADAPPA, Dy. Secy.

(Indian Standards Institution)

New Delhi, the 16th February 1960

**S.O. 484.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that 3 licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and address of the Licensee	Article covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-63 7-2-1958	17-2-1960	16-2-1961	The Indian Turpentine & Rosin Co. Ltd., P.O. Clutterbuckganj, Bareilly, U.P.	Gum Spirit of Turpentine (Oil of Turpentine)	IS: 533-1954 specification for Gum Spirit of Turpentine (Oil of Turpentine).
2	CM/L-115 28-1-1959	16-2-1960	15-2-1961	M/s. Kamal Brothers, 20 Harish Neogi Road, Calcutta-4.	Tea Chest Plywood Panels	IS: 10-1953 Specification for Plywood Tea-Chests (Revised).
3	CM/L-116 3-2-1959	16-2-1960	15-2-1961	M/s. Minerva Plywood Industries, 43/H-1, Chaulpatty Road, Calcutta-10.	Do.	Do.

[No. MD/12 : 141.]

New Delhi, the 18th February 1960

**S.O. 485.**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 1st to 15th February, 1960.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or Standards, if any, superseded by the New Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS : 283-1959 Specification for Porcelain Insulators for Telegraph and Telephone Lines (Revised).	IS:283-1951 Specification for Porcelain Insulator for Telegraph and Telephone Lines.	This specification covers the requirements and tests for pin type porcelain insulators intended for use in supporting telegraph and telephone lines. It does not cover insulators for communication lines running in close proximity to power transmission lines (Price Rs. 3.00).
2	IS: 516-1959 Methods of Tests for Strength of Concrete.	..	This standard covers tests for the determination of compressive strength, flexural strength and modulus of elasticity of cement concrete (Price Rs. 5.00).

(1)	(2)	(3)	(4)
3	IS:796-1959 Glossary of Cataloguing Terms.	..	<p>This standard defines technical terms used in library cataloguing of conventional and modern printed books.</p> <p>It is confined to terms-of-art currently used in cataloguing. (Price Rs. 4.50).</p>
4	IS:867 (Part II)-1959 Methods of Sampling and Test for Phenolic Moulding Materials, Part II.	..	<p>This standard prescribes further tests which are intended to supplement IS:867 (Part I)-1956. The standard contains additional definitions of terms used in trade and industry, and lays down the methods for determining temperature of deflection under load, plastic yield, cross-breaking strength, free phenols, free ammonia and soluble resin content. (Price Rs. 2.50).</p>
5	IS:998-1959 Methods of Chemical Analysis of Soft Solder.	..	<p>This standard covers methods of sampling and chemical analysis of lead and tin-base solder metal. (Price Rs. 3.00).</p>
6	IS:1129-1959 Specification for Dressing of Natural Building Stones.	..	<p>This specification lays down the requirements regarding description, procedure and inspection for the following types of dressing of natural building stones :</p> <ul style="list-style-type: none"> <li>(a) Pitched faced dressing,</li> <li>(b) Hammer dressing,</li> <li>(c) Rock facing and chisel drafting,</li> <li>(d) Rough tooling,</li> <li>(e) Punched dressing,</li> <li>(f) Close picked dressing,</li> <li>(g) Fine tooling,</li> <li>(h) Dragging or combing, and</li> <li>(i) Polishing.</li> </ul> <p>(Price Rs. 2.00).</p>
7	IS:1237-1959 Specification for Cement Concrete Flooring Tiles.	..	<p>This standard covers cement concrete flooring tiles of plain cement, plain coloured and terrazo types. (Price Rs. 4.50).</p>
8	IS:1337-1959 Specification for Hard Chromium Plating on Steel.	..	<p>This standard deals with chromium plating applied directly on steel (with or without grinding) for use for engineering and industrial purposes. (Price Rs. 1.50).</p>
9	IS:1359-1959 Specification for Electro-Tin Plating.	..	<p>This standard covers the tests and requirements for electroplated tin coatings on iron, steel, copper and brass articles that are intended to withstand corrosion. (Price Rs. 2.00).</p>
10	IS:1360-1959 Specification for Engineers' Pattern Tee Squares.	..	<p>This standard covers the requirements for four sizes of engineers' pattern tee squares, designated as T<sub>0</sub>, T<sub>1</sub>, T<sub>2</sub>, and T<sub>3</sub>. (Price Rs. 1.50).</p>



(1)	(2)	(3)	(4)
11	IS: 1378-1959 Specification for Oxidized-Copper Finishes	..	This standard prescribes the tests and requirements for oxidized-copper finishes on articles made of copper, copper base alloys, zinc base alloys, and steel base alloys. It also includes details of the steps in the process of such a finish. (Price Rs. 1.50).
12	IS: 1384-1959 Specification for Oil Pressure Lanterns	..	This standard covers the requirements for two sizes of oil pressure Lanterns, burning pressurized kerosene under a working pressure not exceeding 2 kg/sq. cm. (Price Rs. 3.50).
13	IS: 1388-1959 Specification for Reagent Bottles	..	This standard prescribes the requirements and the methods of test for reagent bottles used for storage and stocking of pure chemicals. (Price Rs. 2.50).
14	IS: 1403-1959 Method for Reverse Bend Test for Steel Sheet and Strip Less Than 3 mm Thick.	..	This standard prescribes the method of conducting reverse bend test on steel sheet and strip less than 3 mm thick. (Price Rs. 1.50).

Copies of these Indian Standards are available for sale with the Indian Standards Institution, "Manak Bhavan", 9, Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 232, Dr. Dadabhai Naoroji Road, Bombay-1, (ii) P-11, Mission Row Extension, Calcutta-1, and (iii) 2/21 First Line Beach, Madras-1.

[No. MD/13 : 2.]

**S.O. 486.**—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that amendment to the Indian Standard given in the Schedule hereto annexed has been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

#### THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified.	No. & date of the Amendment	Brief particulars of the amendment	Date of effect of the Amendment.
(1)	(2)	(3)	(4)	(5)	(6)
1	IS: 1056-1957 Specification for Commercial Metric Weights	S.R.O. 2909 dated 14th September 1957	No. 1 dated January 1960	(i) Sub-clause 0.6.1. the first sentence has been deleted and substituted by the following: "In order to distinguish bullion weights described under 0.6(a) and 0.6(b) from other commercial weights, this standard specifies that bullion weights of 20 kg down to and including 200 g shall be marked with the words 'Bullion' and 'बुलियन' within a 'diamond', and bullion weights of 100 g down to and including 10 g shall be marked with a 'diamond' only (see Fig. 3, 4 and 5)."	1st March 1960

(1)	(2)	(3)	(4)	(5)	(6)
				(ii) In clause 4·3, paragraph (a) (i) the third sentence has been deleted and substituted by the following : 'Weights of 20 kg down to and including 200 g shall be marked with the words 'Bullion' and 'कुलियन' within a 'diamond' as shown in Fig. 3 and 4 and weights of 100 g down to and including 10 g shall be marked with only a 'diamond',	
				(iii) In clause 7·2, lines 6 & 7 the following has been added at the end of the words occurring within brackets : 'and on bullion weights, with knobs, of denominations 5 g and below.'	

Copies of these amendment slips are available free of cost, with the Indian Standards Institution, "Manak Bhavan", 9, Mahura Road, New Delhi-1, and also at its Branch Offices, at (i) 232, Dr. Dadabhai Naoroji Road, Fort, Bombay-1, (ii) P-11, Mission Row Extension Calcutta-1, and (iii) 2/21, First Line Beach, Madras-1.

[No. MD/13:5.]

C. N. MODAWAL,  
Deputy Director (Marks).

## MINISTRY OF STEEL, MINES & FUEL

(Department of Iron and Steel)

New Delhi, the 16th February 1960

**S.O. 487/ESS.COMM/IRON & STEEL-2(c)/AM(63).**—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS.COMM/IRON AND STEEL-2(c), dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, in columns 2 and 3 thereof, against 'HIMACHAL PRADESH', the following entries shall be added, namely:—

2	3
"4. Director of Industries, Himachal Pradesh Administration.	4, 5, 18, 20 and 24 (b, c and d).
5. All Deputy Commissioners in the Himachal Pradesh Administration.	4, 5, 18, 20 and 24 (b, c and d)."

[No. SC(A)-1(15)/59.]

J. S. BAIJAL, Under Secy.

(Department of Mines & Fuel)

New Delhi, the 19th February 1960

**S.O. 488.**—In exercise of the powers conferred by sub-section (2) of section 4 of the Coal Mines (Conservation and Safety) Act, 1952 (12 of 1952), the Central Government hereby appoints the following persons as the Chairman and the members of the reconstituted Coal Board, on and from the 1st March 1960, namely:—

- |   |    |          |
|---|----|----------|
| 1. Shri A. Zaman, I.C.S.,<br>Coal Controller.   | .. | Chairman |
| 2. Shri S. S. Grewal,<br>Chief Inspector of Mines<br>in India,<br>Dhanbad.                                  | .. | Member.  |
| 3. Shri S. G. Krishnan,<br>Chief Mining Adviser,<br>Eastern Railway,<br>Dhanbad.                            | .. | Member.  |
| 4. Shri R. N. Singh,<br>Chief Mining Engineer,<br>National Coal Development<br>Corporation Ltd.,<br>Ranchi. | .. | Member.  |
| 5. Shri D. K. Samanta,<br>C/o Pathardih Colliery,<br>Pathardih.   | .. | Member.  |

[No. C5-5(12)/59.]

CHHEDI LAL, Dy. Secy.

ERRATUM

In Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) notification No. C2-21(1)/60, dated 15th January, 1960, published in the Gazette of India, Part II—Section 3(ii), dated 23rd January, 1960, as S.O. 204, the following correction is to be made:—

Page 353, 3rd line of Para. 3,—

for the figures "1534.10"

read "1584.10"

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 17th February 1960

**S.O. 489.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government is pleased to make the following amendments to the Wool Grading and Marking Rules, 1956, the same having been previously published as required by the said section, namely:—

1. In Schedule IV, for the heading "Grade, designation and definition of quality of Indian Limed Wool (Tannery Wool)" the heading "Grade, designation and definition of quality of Indian Limed Wool (Tannery Wool) other than Aden Type and South Indian Tannery Wool" shall be substituted.

2. After Schedule IV, the following Schedule shall be inserted, namely:—

SCHEDULE IV-A

**Grade, Designation and Definition of Quality of Aden Type and South Indian Tannery Wools**

Grade designation	Colour of fibre	Special characteristics	General characteristics
		Minimum clean wool content	
1	2	3	4
TY. W. . . . .	White . . . . .	60%	All Grades shall be free from wool waste processed wool or any other animal fibre and other extraneous matter except a few unavoidable.
TY. T.W. . . . .	Tinged White . . . . .	60%	
			No wool having yield less than what has been prescribed under column 3 will be allowed to be exported.
TY. PY. . . . .	Pale Yellow . . . . .	60%	Do.
TY. Y. . . . .	Yellow . . . . .		
TY. C. . . . .	Coloured . . . . .	55%	Do.

Note 1.—No admixture of Clipped Wool shall be allowed.

Note 2.—White wool shall not contain more than 5 per cent of Creamy or Tinged White fibres and not more than 1 per cent of other Coloured Wool.

Note 3.—Tinged White Wool shall not contain more than 10 per cent of pale yellow fibres and 1 per cent of other coloured wool.

Note 4.—Pale yellow wool shall not contain more than 15 per cent of Yellow fibres and not more than 1 per cent of Coloured fibres.

Note 5.—Yellow wool may contain deep yellow fibres and not more than 1 per cent coloured wool.

Note 6.—Coloured wool may contain fibres of any colour.

Note 7.—Vegetable matter (1) A tolerance of 4 per cent vegetable matter in White and Yellow wool is allowed and tolerance of 5 per cent is allowed in coloured wool.

[No. F. 17.43/59-AM.]

V. S. NIGAM, Under Secy.

## MINISTRY OF HEALTH

New Delhi, the 13th February 1960

S.O. 490.—In pursuance of item (30) of Part II of the Schedule to the Dentists Act, 1948 (16 of 1948), the Dental Council of India hereby approves the following foreign qualification, namely:—

"Diploma of the Punjab Dental College/Dental & Optical College, Lahore, if granted on or before the 14th August, 1947."

S. BRATT, LDSc., FICD,  
Secretary,  
Dental Council of India.

[No. F-3-81/59-MII.]

R. MURTHI, Under Secy.

New Delhi, the 16th February 1960

S.O. 491.—In pursuance of Regulation No. 15 of the Dental Council of India Regulations for the Examination for qualifying a person registered in Part 'B' to register in Part 'A' of the Dentists Register maintained under the Dentists Act, 1948 (16 of 1948), it is hereby notified that the following candidates passed the (Supplementary) Examination No. I conducted by the Dental Council of India at the Dental College & Hospital, Lucknow, in January, 1960. The Roll Numbers of the candidates are given in brackets against their names:—

Kanshinath Amrit Deshpande	(1)
Jaya Deva Sharma	(2)

S. BRATT, LDSc., FICD,  
Secretary,  
Dental Council of India.

[No. F. 3-4/60-MII.]

KRISHNA BIHARI, Dy. Secy.

## MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

New Delhi, the 22nd February 1960

S.O. 492.—In exercise of the powers conferred by sub-section (3) of section 39 of the Madras Port Trust Act, 1905 (Madras Act II of 1905), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Transport and Communications, Department of Transport No. S.O. 2335, dated the 17th October, 1959, published in the Gazette of India, Part II, Section 3 (ii), dated the 24th October, 1959, namely:—

In the form of the Receipt,—

(i) The word "Board" shall be inserted below the following words:—

"Shed Master

No.....Shed

.....Section"

(ii) The word "Board" appearing at the end shall be deleted.

[No. 22-PLA(19)/59.]

K. NARAYANAN, Dy. Secy.

# **MINISTRY OF SCIENTIFIC RESEARCH & CULTURAL AFFAIRS**

*New Delhi, the 17th February 1960*

*In the matter of Giraundi Kayastha Pathshala Endowment Trust, Mirzapur District*

**S.O. 493.**—In exercise of the powers conferred by sub-section (1) of section 10 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government is pleased to direct that the Treasurer of Charitable Endowments for India be divested of the properties specified in the Schedule annexed hereto, which were vested in him through the notification of the Government of India, Finance Department No. D.8692-F, dated the 13th November, 1941, read with the notifications of the Government of United Provinces, Education Department No. 602/XV-301 and 808/G/XV/619-1923, dated the 2nd April, 1918 and the 29th November, 1923 respectively.

## **THE SCHEDULE**

1. Whole of Mauza Giraundi pargana Bhail, Tehsil Ghunar, Mirzapur District (U.P.).
2. One bigha, 12 biswas of muafi land and a grove of 18 biswas muafi land in village Baraundha, Tappa Chaurasi, Mirzapur District (Uttar Pradesh).

[No. F. 12-7/59-C.1.]

M. M. JAIN, Under Secy.

# **MINISTRY OF WORKS, HOUSING AND SUPPLY**

*New Delhi, the 16th February 1960*

**S.O. 494.**—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby appoints the officers mentioned in column 1 of the table below, being gazetted officers of Government, to be estate officers for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits of their respective jurisdiction in respect of the public premises specified in the corresponding entries in column 2 of the said table:—

## **THE TABLE**

Designation of Officers 1	Categories of public premises and local limits of jurisdiction 2
1. The Executive Engineer, Bombay Military Lands Scheme Division, Central P.W.D., Bombay.	Premises under the administrative control of the C.P.W.D. and Military Land Scheme properties at Bombay and Ambernath (Kalyan).
2. Executive Engineer, Simla Central Division, Central P.W.D., Simla.	Premises under the administrative control of C.P.W.D. within the local limits of his jurisdiction (except in Simla).
3. Administrative Officer, Films Division, Bombay.	Premises under the administrative control of Films Division, Ministry of Information & Broadcasting, at Bombay.
4. Officer-in-charge, Salar Jung Museum & Library, Hyderabad.	Premises under the administrative control of the Salar Jung Museum and Library situated within the local limits of his jurisdiction.
5. Assistant Salt Commissioner, Calcutta.	Premises under the administrative control of the Salt Department, situated within the local limits of his jurisdiction.

[No. 14/3/60-Acc.]

**S.O. 495.**—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby makes the following amendments in the notifications of the Government of India in the Ministry of Works, Housing and Supply Nos. S.O. 1104, dated 7th May, 1959 and S.O. 141, dated 16th January, 1960.

(i) In the table below notification No. S.O. 1104 against S. No. 12;

(a) Delete the word "and" and insert a "comma" after "Lucknow Sub-Area".

(b) For "Himachal Pradesh (Indep) Sub-Area" read "Punjab and Himachal Pradesh (Indep) Sub-Area".

(c) Delete the "full stop" at the end and add "and West Bengal, Bihar and Orissa Sub-Area".

(ii) In the table below notification No. S.O. 141, dated the 16th January, 1960;

Substitute the word "Gwalior" for "Indore".

[No. 14/3/60-Acc.]

R. C. MEHRA, Under Secy.

New Delhi, the 22nd February 1960

**S.O. 496.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Officer on Special Duty (Litigation) at New Delhi under the Directorate General of Supplies and Disposals, namely:—

1. **Short title.**—These rules may be called the Directorate General of Supplies and Disposals, (Officer on Special Duty) (Litigation) Recruitment Rules, 1960.

2. **Application.**—These rules shall apply for recruitment to the post of Officer on Special Duty (Litigation) at New Delhi under the Directorate General of Supplies and Disposals.

3. **Number, classification and scale of pay.**—The number classification of the post and the scale of pay attached thereto shall be as specified in columns 2, 3, and 4 of the Schedule annexed hereto.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule:—

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes/Tribes, displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—No male candidate who has more than one wife living and no female candidate who has married a person having already a wife living shall be eligible for appointment to the post:

Provided that the Government of India may, if it is satisfied that there exist special ground for doing so, exempt any such candidate from the operation of this rule.

*Recruitment Rules for the post of Officer on Special*

Name of post	No. of Posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Officer on Special Duty (Litigation).	1	G. C. S. Class I	Rs. 1100—50 —1300—60— 1600—100— 1800.	Selection.	Below 45 years.	<p><i>Essential :—</i></p> <p>(i) Degree in Law of recognised University or a Barrister-at-Law.</p> <p>(ii) About 10 years' practice as Advocate of a High Court. OR About 7 years' practice as an Attorney/Solicitor of the High Courts of Calcutta or Bombay. OR A member of a State Judicial Service for about 10 years. OR A Central Government Officer who has had experience in legal affairs for about 10 years.</p> <p>(iii) Experience of original court cases of commercial litigation &amp; arbitration.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified</p> <p><i>Desirable :—</i></p> <p>Experience of Government contract cases.</p>



*Duty (Litigation) in the D.G.S. & D. Ministry of W.H. & S.*

Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which U.P.S.C. is to be consulted in making rectt.
---	----------------------------	---	---	---	---

8	9	10	11	12	13
Educational qualifications will apply but age-limit will not apply.	2 years	By promotion <i>failing which by deputation</i> of an officer of the Ministry of Law appointed or approved for appointment to a duty post (as defined) in Rule 2(a) of the Central Legal Service Rules in Grade-III of the Central Legal Service <i>failing both by direct recruitment</i>	<i>Promotion:—</i> Deputy Director (Litigation) with 3 years' service in the grade.  <i>Transfer :—</i> As in column 10.	Class— I.D.P.C.	As required under the rules.

[No. ES. I-49(3)/58.]

R RAJAGOPALAN, Under Secy.

*New Delhi, the 27th February 1960*

**S.O. 497.**—In exercise of the powers conferred by sub-section (1) and (2) of section 4 of the Rajghat Samadhi Act, 1951 (41 of 1951) and in partial modification of the Notification of the Government of India in the Ministry of Works, Housing and Supply No. W-14(56)/57, dated the 5th March, 1959, the Central Government hereby nominates Shri Bhagwan Sahai, Chief Commissioner, Delhi to be a member of the Rajghat Samadhi Committee *vice* Shri A. D. Pandit, and Shrimati Lakshmi Devadas Gandhi as a non-official member of the said committee, and appoints Shri Anil K. Chanda, Deputy Minister of Works, Housing and Supply, as Chairman of that committee in place of Shri K. C. Reddy, Minister.

[No. W.14(56)/57.]

S. CHAUDHURI, Dy. Secy.

## MINISTRY OF RAILWAYS

(Railway Board)

*New Delhi, the 3rd February 1960*

**S.O. 498.**—In exercise of the powers conferred by sub-section (2) of section 29 of the Indian Railways Act, 1890 (9 of 1890), the Central Government makes with effect from the 1st April, 1960, the following further amendments in the notification of the Government of India in the Ministry of Railways (Railway Board) No. TC/Committee/14/57, dated the 26th August, 1958, namely:—

In the said notification,—

- (1) "in item 1 relating to Percentage on value charge (section 75 of Indian Railways Act), for the expression 'Rate of percentage on value per 100 miles or part of 100 miles' appearing in the heading of the 2nd column of the Table, the expression 'Rate of percentage on value per 160 kilometres or part of 160 kilometres' shall be substituted.
- (2) in item 2 relating to Percentage on excess value charge (section 73 of Indian Railways Act, 1890), for the expression 'Rate of percentage on excess value charge per 100 miles or part of 100 miles' appearing in the heading of the 2nd column of the table, the expression 'Rate of percentage on excess value charge per 160 kilometres or part of 160 kilometres' shall be substituted."

[No. TC/Metric/4-59.]

R. E. De Sa, Secy.

## MINISTRY OF REHABILITATION

*New Delhi, the 19th February 1960*

**S.O. 499.**—In exercise of the powers conferred by Section 3(1) of the Transfer of Evacuee Deposits Act, 1954 (No. 15 of 1954), the Central Government hereby appoints Shri K. S. Hegde, Officer-in-Charge, Central Claims Organisation, Ministry of Rehabilitation, as Custodian of Deposits with effect from the 18th January, 1960, for the purpose of discharging the duties imposed upon the Custodian of Deposits by or under the said Act.

[No. 27(41)/58-Admn(N).]

(Office of the Chief Settlement Commission)

*New Delhi, the 16th February 1960*

**S.O. 500.**—In exercise of the powers conferred by Clause (a) of sub-section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation)

Act No. 44 of 1954, the Central Government hereby appoints for the State of Madhya Pradesh Shri N. D. Jacob as Managing Officer, for the custody, management and disposal of compensation pool.

[No. 4(59)-Admn(Prop)/59.]

**S.O. 501.**—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Madhya Pradesh, Shri N. D. Jacob as Assistant Custodian for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 4(59)-Admn(Prop)/59.]

*New Delhi, the 17th February 1960*

**S.O. 502.**—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints the officer for the time being holding the post of Deputy Collector, Banda, as Assistant Custodian in that District for the purpose of discharging the duties assigned to the Custodian by or under the said Act.

[No. 16(16)-Admn(Prop)/59.]

*New Delhi, the 27th February 1960*

**S.O. 503.**—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the State of Punjab, Shri Tejinder Singh as Assistant Custodian for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 4(54)-Admn(Prop)/59.]

K. B. MATHUR, Under Secy.

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**(Office of the Chief Settlement Commissioner)**

*New Delhi, the 20th February 1960*

**S.O. 504.**—In exercise of the powers conferred upon me by sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, S. W. Shiveshwarkar hereby delegate with effect from the 15th January, 1960 my power under sub-section (2) of Section 30 of the said Act to Shri Saroop Krishan, I.C.S., Settlement Commissioner, Punjab, in so far as such orders relate to any sums due under the said Act in respect of the property (including agricultural land) in the State of Punjab in a rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 and forming part of the Compensation Pool.

[No. 3(37)Policy-II/59.]

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**(Office of the Chief Settlement Commissioner)**

**ORDER**

*New Delhi, the 20th February 1960*

**S.O. 505.**—In exercise of the powers conferred by sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, S. W. Shiveshwarkar, hereby delegate to Miss Serla Khanna, I.A.S., Settlement Commissioner, Punjab with effect from the 15th January, 1960. the powers conferred upon me under Sections 23, 24 and 28 of the said Act for the purpose of passing necessary orders under these sections in so far as they relate to the custody, management and disposal of property (including agricultural land) in the State of Punjab in a rural area as defined in clause (f) of rule 2

of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, which forms part of the Compensation Pool.

[No. 8(1)/58-Policy-II.]

**S.O. 506.**—In exercise of the powers conferred by sub-section (2) of section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), I, S. W. Shiveshwarkar, hereby delegate, with effect from the 15th January, 1960, to Shri Saroop Krishan, I.C.S., Settlement Commissioner, Punjab, the powers conferred upon me under sections 23, 24 and 28 of the said Act for the purpose of passing necessary orders under these sections in so far as they relate to the custody, management and disposal of property (including agricultural land) in the State of Punjab in a rural area as defined in clause (f) of rule 2 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, which forms part of the Compensation Pool.

[No. 3(37)Policy-II/59.]

S. W. SHIVESHWARKAR,  
Chief Settlement Commissioner.

### DELHI DEVELOPMENT AUTHORITY

New Delhi, the 17th February 1960

**S.O. 507.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below:—

#### SCHEDULE

Land measuring 0.5 acre in Mauza Southern Ridge Estate in Jhandewala bearing Khasra No. 1360/1280 min.

2. The above land is bounded as follows:—

North:—New Link Road.

South:—Old Qarol Bagh Road.

East:—Nazul land.

West:—Nazul land.

[No. L.1(4)59.]

M. L. GUPTA, Secy.

### MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 17th February 1960

**S.O. 508.**—Whereas Shri K. T. Srinivasan who was appointed under the notification of the Government of India in the Ministry of Labour No. S.R.O. 2377/MDLB(2)/56, dated the 23rd October, 1956, as a member of the Madras Dock Labour Board to represent the dock workers in the port of Madras, absented himself from three consecutive ordinary meetings of the said Board without leave of absence from the Chairman of the Board, it is hereby notified that the said member shall be deemed to have vacated his office with effect from the 1st September 1959 under sub-clause (7)(f)(iv) of clause 4 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956. Consequently, in the said notification under the heading "Representatives of dock workers", the entry in item (2) shall be deemed to have been omitted from the 1st September 1959.

[No. Fac.76(23)-I/59.]

New Delhi, the 18th February 1960

**S.O. 509.**—In exercise of the powers conferred by sub-section (1) of Section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri L. R. Joshi to be an Inspector for the whole of the

State of Madhya Pradesh for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry, vice Shri W. V. Oak, I.A.S.

[No. 31(695)/60/PF-I.]

**S.O. 510.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, framed under section 5 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri L. R. Joshi as Regional Provident Fund Commissioner for the whole of the State of Madhya Pradesh vice Shri W. V. Oak, I.A.S. Shri L. R. Joshi shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. 31(695)/60/PF-I.]

*New Delhi, the 20th February 1960*

**S.O. 511.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st November, 1952, to the factory known as the Podar Mills Limited, Dellsle Road, Chinchpokli, Bombay—13 there was in existence a provident fund common to the employees employed in the factory to which the said Act applies and the employees in its Head Office situated at Podar Chambers, Parsee Bazar Street, Fort, Bombay—1;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said Head Office.

[No. PF. II. 7(16)/59.]

P. D. GAIHA, Under Secy.

*New Delhi, the 18th February 1960*

**S.O. 512.**—In pursuance of the proviso to regulation 17 of Coal Mines Regulations, 1957, the Central Government hereby approves, for the purpose of the said regulation, the Board of Technical Education, Rajasthan, Jodhpur in respect of the Diploma in Mining awarded by it and makes the following amendment in the notification of the Government of India in the Ministry of Labour & Employment No. S.O. 1250, dated the 28th May 1959, namely:—

In the Table appended to the said notification, under the heading "INDIA" and sub-heading, "List of Institutions awarding Degree/Diploma in Mining", after item 5, the following item shall be added, namely:—

"6. Board of Technical Education, Rajasthan, Jodhpur.	Diploma in Mining".
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[No. MI. 17(3)/59.]

A. P. VEERA RAGHAVAN, Under Secy.

*New Delhi, the 22nd February 1960*

**S.O. 513.**—In exercise of the powers conferred by sub-section (3) of section I of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 28th February, 1960, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), Chapter V and Chapter VI [except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Madras, namely:—

The areas within the limits of the revenue villages of:—

- I. (a) Perianaickenpalayam,
- (b) Narasimhanaickenpalayam,

- (c) Thudialur,
- (d) Vellakinar,
- (e) Gudalure,
- (f) Vilankurichi,
- (g) Kurdampalayam, and
- (h) Kalapatti,

in the Coimbatore taluk, Coimbatore district.

II. (A) The area comprised within the limits of the revenue villages in Sivakasi town.

(B) The areas within the limits of the revenue villages of

- (a) Kilathiruthangal,
- (b) Thiruthangal,
- (c) Sivakasi Viswanatham (Inam), and
- (d) Viswanatham (Inam),

in Sattur taluk in Ramanathapuram district.

III. (A) The area comprised within the limits of the revenue villages in Rajapalayam town.

(B) The areas within the limits of the revenue villages of:—

- (a) Kothankulam,
- (b) Samsigapuram,
- (c) Pudupalayam,
- (d) Inam Thoppupatti,
- (e) Chettiaripatti,
- (f) Inam Kadambankulam,
- (g) Sholapuram, and
- (h) Therkuvenganallur,

in Srivilliputhur taluk in Ramanathapuram district.

[No. F. HI-13(2)/60.]

BALWANT SINGH, Under Secy.

*New Delhi, the 22nd February 1960*

**S.O. 514.**—In exercise of the powers conferred by section 3 of the Essential Services (Maintenance) Ordinance, 1941 (Ordinance No. 11 of 1941), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Labour No. S.R.O. 2038, dated the 7th September, 1956, declaring employment as Assistant Harbour Masters under the Commissioners for the Port of Calcutta as employment to which the said Ordinance applies.

[No. 63/1/60-LRI.]

A. L. HANDA, Under Secy.

*New Delhi, the 23rd February 1960*

**S.O. 515.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Bhagaband Colliery and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
DHANBAD

REFERENCE No. 52 OF 1959

**PARTIES:**

Employers in relation to the Bhagaband Colliery

AND

Their workmen.

**PRESENT:**

Shri G. Palit, M.A., B.L., Presiding Officer,  
Central Government Industrial Tribunal, Dhanbad.

*Dhanbad, dated the 9th February 1960*

**APPEARANCES:**

Shri D. L. Sen Gupta, Advocate, with Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh, Dhanbad—for the workmen.

Shri S. S. Mukherjee, B.Sc., B.L., Advocate, with Shri P. K. Mitter, Chief Personnel Officer, Shri J. L. Sinha, Group Personnel Officer—for the employers.

State: Bihar.

INDUSTRY: Coal.

**AWARD**

The Government of India, Ministry of Labour & Employment, by order No. LR.II/1(47)/59, dated 13th August 1959 made in exercise of the powers conferred under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act (XXV of 1947) referred for adjudication the above industrial dispute to Shri Salim M. Merchant. On his services as Presiding Officer, Industrial Tribunal, Dhanbad, ceasing to be available at Dhanbad, the Government of India, Ministry of Labour & Employment, acting under Section 33B(1) of the said Act withdrew the proceedings in relation to the said dispute and transferred the same to me as Industrial Tribunal at Dhanbad by its order No. 4/47/59-LRII, dated New Delhi, the 13th January 1960.

2. The issues which were disclosed in the schedule to the Order of reference stood as follows:—

(1) Whether the management was justified in stopping the payments of Sirdari commission to the following nine workmen with effect from 12th April 1959:—

1. Shri Ramdeo Shaw.
2. Shri Amar Singh.
3. Shri Bomkosh Chatterjee.
4. Shri T. M. Banerjee.
5. Shri Barhan Shaw.
6. Shri Jiblal Turi.
7. Shri A. K. Singh.
8. Shri B. K. Sarkar.
9. Shri R. C. Shaw.

(2) If not, to what relief are they entitled and with effect from what date?"

2. It is the contention of the workmen that they were eligible for this sirdari and commission not only for their recruiting the miners in the aforesaid colliery but also with reference to the tubs raised by the miners recruited by them. This was a practice which lasted for 22 to 25 years. This was continued even after the recruitment of miners by these sirdars had ceased, in 1950 or 1952. The amount of the Sirdari and commission was not negligible as it went up to Rs. 50 to Rs. 55 per week. This decision to discontinue payment of commission and sirdari is said to have been taken by the management with a view to penalise those sirdars for their refusal to induce the miners to submit to tub deduction

made on the surface, which had resulted in a lock-out. This is also the reason why Shri Hardeo Singh was not given a notice and in the five other Miners' sirdars who were given the notice had since been exempted. The stand taken by the employers is that as these sirdars were no longer required for recruitment and as they did not do any supervision work of the miner, they were not entitled to any sirdari and commission. The legal objection taken is that the matter in dispute is not included in the second or third schedule of the Industrial Disputes Act, 1947 and that the persons named in the schedule were not workmen as they did not do any skilled or unskilled, manual, supervisory, technical or clerical job under the management. They are practically contractors. As such the present dispute does not lie. The management emphatically denies that they had any grudge against these particular employees in connection with the tub deduction on the surface for which a lock-out was said to have been declared in the said colliery.

*Issue No. 1.*

3. Coming to the evidence on record I find that the management had shifted its ground from one to another in its written statement. In the first reply to the union's stand, the company took up the plea that these men in question did not do any recruiting work of the miners and as such they were dis-entitled to the sirdari and commission. But they soon became aware of the untenableness of the said decision because the recruitment had been stopped as far back as 1950 or 1952 when the Bonus Scheme was introduced. In this position the company was faced with the awkward situation that if this sirdari and commission did rest entirely on recruitment, why was it continued for this long period of 8 to 10 years. Just to wriggle out of this tight corner, the company next, took up the plea, namely, that these miners sirdars did not do any act of supervision. They had no time for it because they were full time employees holding clerical and other positions under the management. So they could not do this supervision work even if they wanted. During trial it was further developed that these workmen did not go underground during the last 3 or 4 years. They can never be supposed to have done any supervision work concerning the miners working there. Even here the company could not stick to the position taken up. Of course if the supervision was required to be done during the working hours, all the miners sardars of course, these workmen would have no time and opportunity for doing it because they would be pre-occupied in their own duties as clerks, etc. But if I turn to the duties which were discharged by these workmen, I mean, the miners' sirdars, then I find that their duties in the office did not clash with the performance of their duties by the miners' sirdars. The Assistant Manager of the colliery, Shri B. K. Sarkar, O.P.W. 1 admits in his deposition before me that he has not seen any record in the company showing the duties that were required to be done by the sirdars to earn their sirdari commission. So it is clear that the duties required of those sirdars were neither clear-out nor definite. In this background I get the positive statement of Ram Deo Shaw, P.W. 2 that besides recruiting miners as sirdar he had to give them their implements and other requirements obtained from the company. He had to arrange the place of work and also manage their work on behalf of the company. If any miner gave defective work, the company used to call the sirdars and wanted them to explain the matters to the miners and to compose the quarrel. They were required to arrange the whereabouts of the miners and to see whether they attended the place of work in time. That this was the real position will also appear from the notice, dated 2nd January 1959 given to Bomkesh Chatterjee one of the sirdars, marked Exhibit 2, and another on 30th December 1958 marked Exhibit 2(a) and another on 12th July 1959 marked Exhibit 2(b). These exhibits make it absolutely clear that these sirdars had to arrange about the working places and other facilities of the miners, to check personification of the miners when any of them happened to go on leave and to see that other directions of the Manager were obeyed by the miners. That being the position the duties which have been enumerated by Ram Deo Shaw or detailed in those notices can very well be done outside duty hours in the office. This is exactly what Ram Deo Shaw had deposed before me. These duties were still being discharged by them. So why should their sardari commission be withheld?

4. The management next, wanted to say that as these nine miners did not go underground during the last 3 or 4 years how could they supervise the work of the miners. This postulates that the sirdars had got to be by the side of the miners to supervise their work. But as I have shown that this is not necessary. Besides those five sirdars from whom the management admittedly withdrew the notice withholding sirdari commission, also did not go underground during the



last 3 or 4 years. Then why was the sirdari commission continued in their case and denied in the case of these nine miners sirdars?

5. The company next, drew my attention to the circular issued by the Coal Mines Provident Fund Commissioner, Dhanbad, making a distinction between 'working sirdars' and 'non-working sirdars' in the mine. But this appears to be the desperate attempt of a drowning man catching at a straw. First of all this does not relate to the matter of tubs nor is it with regard to the earning of sirdari commission which is mooted here. So it is neither here nor there. It appears that the manager in this case was out to punish these nine miners' sirdars. With that end in view he stopped their sirdari commission and then to justify his action he grabbed at one plea or another. But none of them, as I have exposed, bear scrutiny and stand him in good stead *vis-a-vis* these miners sirdars.

6. But the point that may next strike the Tribunal is why should the Manager suddenly take into his head to single out those workmen for punishment. Here the story given by the union appears to be perfectly cogent. There was admittedly a dispute between the miners and the management whether the tub deduction should be made on the surface or underground. The miners insisted that it should be done underground because they cannot be held answerable for any loss in transit to the surface but the employers were adamant in enforcing the practice of surface tub deduction. This resulted in a lock-out. The management wanted the help of the miners' sirdars naturally to prevail on the miners to submit to this position. The manager possibly in his enthusiasm considered it to be part of their duty as sirdars; otherwise why should they be given sirdari commission, the recruitment having already come into dis-use. But the said manager forgot that the sirdari commission not only depended on recruitment of miners but also on the number of tubs raised. The Assistant Manager O.P.W. 1 Shri Bimal Kumar Sarkar when confronted with this sirdari commission being dependent on number of tubs raised by the miners, evidently bungled. He said, "I do not know even as an Assistant Manager whether this sirdari commission has any relation to the number of tubs raised by the miners." But the Exhibit A makes it absolutely clear that the sirdari commission bears a direct ratio to the number of tubs raised according to certain specified rates. It also includes a sirdari of a fixed amount. Thus it is clear that either he does not know for which I cannot compliment on his intelligence or he is trying to mislead matters which is equally to be condemned. This being the position, the manager withheld suddenly this sirdari commission which was in existence for all these long years and that absolutely without any justification. To discriminate between these nine men and 5 others from whom the notices have been withdrawn is hardly justified. These five men may be more sirdars not doing any clerical job under the management but still so far as the earning of the sirdari commission by their supervision underground they did not stand on a different footing from these nine men. So the supervision, if any, must have been done on the surface by all these sirdars. That can be done by these nine miners sirdars outside their working hours. But in their case the want of not going underground was sought to be capitalised by the management which shows how the wind was blowing.

7. So I answer the issues in favour of these nine workmen mentioned in the schedule to the Order of reference against the management. I find that the management was not justified in stopping the payments of sirdari and commission to these nine men with effect from 12th April 1959.

#### Issue No. 2.

8. In view of the findings recorded above, I award that these nine miners are entitled to sirdari commission and that with effect from 12-4-1959 calculated as before on their sirdari and rate of commission with reference to the tubs raised.

9. Before I leave this matter I must dispose of two legal objections raised by the employers *viz.*, (1) on the score of jurisdiction and (2) that the subject matter is not included in the second or third schedule to the Industrial Disputes Act, 1947. If we glance at the second schedule appended to the Act, I find that it is included in the item No. 4, "withdrawal of any customary concession or privilege". Then under item No. 1 in the third schedule appended to the Act it provides fixation of "wages", and this sirdars' commission can very well be locked upon as a part of wages. The learned advocate on behalf of the management advisedly did not press this point. So this contention falls.

10. Regarding the want of jurisdiction, it is contended that these nine persons were not employed in the colliery to do any skilled or unskilled, manual, supervisory or clerical work. But in the written statement of the management in para 8 I get Sarvashree Ram Deo Shaw, Amar Singh, T.M. Banerjee, Barhan Shaw, A. K. Singh, B. K. Sarkar, were admittedly clerks under the management. Shri Bomkesh Chatterjee was a Switch Board Attendant. Shri Jiblal Turi was a Shot-Firer and Shri R. C. Shaw was a Chipping Mazdoor. So it is abundantly clear that these nine persons were serving under the management in one or the other capacities which bring them within the category of clerks as defined in the Act. But possibly the learned advocate Shri S. S. Mukherjee had in his mind that these men apart from their other duties, were contractors, so far as their sirdari and commission were concerned and as such fell outside the definition of "workmen". He wanted to split up the dual function of these men. I do not know whether such dissection as in the case of Dr. Jekyll and Mr. Hyde is permissible in Industrial Law. I can safely say that if one is a workman under the definition of the Act, he cannot cease to be so simply because he discharges other functions during his leisure hours. The main functions which ought to be the criterion was definitely clerical or of workman under the Act, so far as these nine workmen were concerned. The learned advocate relied on the case of *Rashtriya Mazdoor Sabha Vs. Modi Oil Mills*, decided by Labour Appellate Tribunal of India reported in 1955—Vol. II, p. 163. That case if read between the lines would show that it is not apposite to the facts of this case. There a salesman was employed on fixed monthly salary plus commission on sales effected by him. Subsequently he was given no salary but he was given only commission on sales plus Travelling Allowance. There he was treated as an independent contractor. The learned judges deciding the case found that he must be deemed to be a contractor because the company did not exercise any control over the manner of execution of his work. He had independence of action so far as his commission on sale was concerned. Nobody has any quarrel with that proposition as it is, but here these nine miners' sirdars were purely workmen under the management and the sirdari commission was a mere adjunct and also subject to the control of the management. So the two cases have no features in common such that one can be in fact applied to the facts of the other. So I find that this Tribunal has clear jurisdiction in deciding this dispute.

11. I therefore give my award in terms aforesaid this the 9th day of February, 1960.

G. PALIT, Presiding Officer,  
Central Government, Industrial Tribunal,  
Dhanbad.

[No. 1/47/59-LRII.]

#### ORDER

*New Delhi, the 18th February 1960*

**S.O. 516.**—Whereas the management in relation to the Indian Bank Limited, Madras and the Indian Bank Employees' Union, Madras, and the Federation of the Indian Bank Employees' Unions, Madras, have jointly applied to the Central Government for reference of an industrial dispute to a Tribunal in respect of the matter set forth in the said application, reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said employees' unions represent a majority of the workmen;

Now, therefore, in exercise of the powers conferred by Section 7A and subsection (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Ramaswamy Gounder, B.A., M.L., Retired High Court Judge, Madras will be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whereas an Industrial dispute exists between the INDIAN BANK LIMITED AND (1) THE INDIAN BANK EMPLOYEES' UNION, MADRAS, (2) THE FEDERATION OF THE INDIAN BANK EMPLOYEES UNIONS, MADRAS and it is expedient that the matters specified in the enclosed statement which are connected with or relevant to the dispute should be referred to adjudication by an Industrial Tribunal (Central), an application is hereby made under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 that the said dispute should be referred to an Industrial Tribunal (Central). This application is made by the representatives of the Union who have been duly authorised to do so by virtue of a resolution (copy enclosed) adopted by a majority of the members of the Executive Committee present at a Conference of the Federation of the Indian Bank Employees' Unions held on the 13th, 14th and 15th of November, 1959 and by the Indian Bank Ltd., by its Secretary. A statement giving particulars required under rule 3 of the Industrial Disputes (Central) Rules, 1957 is attached.

Dated this 30th day of November, 1959.

(Sd.)

1. (T. Ramakrishna Rao),  
Secretary, Indian Bank Ltd.,  
Madras, representing  
employer.

(Sd.)

3. (A. Annamalai),  
representing the Federation  
of the Indian Bank Employees'  
Unions, Madras.

(Sd.)

2. (S. Subramaniam),  
representing Indian Bank  
Employees' Union,  
Madras.

(Sd.)

4. (R. B. Bhatt),  
representing the  
Federation of the Indian  
Bank Employees' Unions,  
Madras.

To

The Secretary to the Government of India,  
Ministry of Labour,  
New Delhi.

Statement required under Rule 3 of the Industrial Disputes (Central) Rules, 1957 to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947.

(a) Parties to the Disputes:

1. The Management of Indian Bank Ltd., Indian Bank Buildings, 17, North Beach Road, Madras-1.

2. The workmen of the Indian Bank Ltd., employed by it throughout the Union of India represented by:

- (i) The Indian Bank Employees' Union, 39, Second Line Beach, Madras-1; and

- (ii) The Federation of the Indian Bank Employees' Unions, 39, Second Line Beach, Madras-1.

(b) Specific matters in dispute:	What should be the quantum of bonus payable to the workmen for the year 1957.
(c) Total number of employees employed in the undertaking affected:	2,349.
(d) Estimated number of employees affected or likely to be affected by the dispute:	2,349.
(e) Efforts made by the parties themselves to adjust the dispute:	Mutual negotiation—strike for three days on the 15th, 16th and 17th April, 1958. Agreement, dated 17th April 1958.
(Sd.) 1. (T. Ramakrishna Rao), Secretary, Indian Bank Ltd., Madras, representing the employer.	(Sd.) 2. (S. Subramaniam), Vice-President, The Indian Bank Employees' Union, Madras.
(Sd.) 3. (R. B. Bhatt), Secretary-General, Federation of the Indian Bank Employees' Unions, Madras.	(Sd.) 4. (A. Annamalai), President, Federation of the Indian Bank Employees' Unions, Madras.

**COPY OF THE RESOLUTION PASSED AT A CONFERENCE OF THE FEDERATION OF THE INDIAN BANK EMPLOYEES' UNIONS, MADRAS HELD ON 13TH, 14TH AND 15TH OF NOVEMBER, 1959.**

"In the light of the letter of the Under Secretary to the Government of India dated 12th October, 1959, resolved to amend the joint application with regard to Bonus for the year 1957 referring the same to the Central Government Industrial Tribunal, instead of the National Tribunal, as originally applied for."

(TRUE COPY)

(Sd.) (A. Annamalai),  
President.

(Sd.) (R. B. Bhatt),  
Secretary-General.

[No. LR11-10(76)/58.]

*New Delhi, the 22nd February 1960*

**S.O. 517.**—Whereas the Titanium Products Staff Union, Trivandrum Titanium Workers' Union, Trivandrum and Travancore Titanium Products Employees' Union, Trivandrum, have raised a doubt relating to the interpretation of clauses (6) and (7) of the Memorandum of Settlement dated the 28th October, 1958 and of clauses (5) and (6) of the Memorandum of Settlement dated the 17th December 1958, reached between the management of Messrs Travancore Titanium Products Limited, Trivandrum, and the Titanium Products Staff Union, Titanium Workers' Union and Travancore Titanium Products Employees' Union, Trivandrum;

And whereas in the opinion of the Central Government a doubt has arisen as to the correct interpretation of clauses (6) and (7) and clauses (5) and (6) of the Memorandum of Settlements dated the 28th October, 1958 and the 17th December 1958 respectively;

Now, therefore, in exercise of the powers conferred by section 7A and sub-section (1) of section 36-A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Purushothaman Nair shall be the Presiding Officer with headquarters at Trivandrum (Kerala State) and refers the question specified in the Schedule below for decision to the said Industrial Tribunal.

**SCHEDULE**

Whether the management of the Travancore Titanium Products Limited, Trivandrum, have correctly fixed the pay of their workmen in the revised scales in terms of the Memorandum of Settlements dated the 28th October 1958, and 17th December 1958, arrived at between the said management and the Titanium Products Staff Union, Titanium Workers' Union and Travancore Titanium Products Employees' Union; if not, how should the pay of the workmen be fixed in their respective revised scales of pay?

[No. 22/11/59-LRM.]

S. N. TULSIANI, Under Secy.

